

BOARD OF EDUCATION
Cherry Hill, New Jersey

POLICY 4151.11/4251.11

EXTENDED LEAVE OF ABSENCE

The regular attendance of teachers and other staff is an essential element in the efficient operation of the school district and the effective conduct of the educational program. However, at times, extended leave is necessary and unavoidable. Therefore, the Board of Education shall provide for extended leaves of absence in accordance with law, the terms of applicable negotiated agreements and the policies of this Board.

A teacher or staff member who fails to give prompt notice of an absence without good cause, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, or accumulates an excessive number of absences without good cause, may be subject to discipline, which may include the withholding of one or both salary increments, non-renewal, and/or certification of tenure charges.

1. DEFINITIONS:

Extended Leave of Absence: Any leave, with or without pay, which exceeds 5 consecutive days of absence from work.

Medical Leave: Approved absence from work because of personal disability due to illness, quarantine or exclusion from school due to exposure to contagious disease, or injury from an accident which is not incurred in the performance of the employee's responsibilities in the Cherry Hill School District.

Work Related Disability Leave: Approved absence from duty due to an injury which is incurred in the performance of the employee's responsibilities.

Family Leave: An approved leave, with or without pay, pursuant to the provisions of the Family Medical Leave Act ("FMLA") or the New Jersey Family Leave Act ("FLA").

Jury Duty: An approved leave incurred by a call to jury duty.

2. ELIGIBILITY FOR EXTENDED LEAVE

Medical Leave: Employees may utilize paid sick leave days for the purposes specified under the definition of medical leave above. While the Board recognizes an employee's right to utilize accumulated sick leave for legitimate reasons, continuity of instruction is also a vital interest, and frequent or significant

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extended medical leave absence may therefore be considered a cause for disciplinary action. The Board of Education and/or the Superintendent's designee reserves the right to require of any employee who claims sick leave sufficient proof, including a physician's certification, of the employee's illness or disability. The Board will consider requests for extension of sick leave benefits after exhaustion of accumulated sick leave on a case-by-case basis.

Work Related Disability Leave: The Board of Education will permit, in accordance with law, the absence without loss of pay or of annual or accumulated sick leave benefits of a teaching staff member disabled by accident or injury arising out and in the course of employment. Any such employee shall seek the workers' compensation benefits to which he or she is entitled by law. Any teaching staff member who qualifies for work related disability pay under this policy will be entitled to receive full pay during the period he or she is on disability leave of absence, for up to twelve consecutive months.

Family Leave: In accordance with the FMLA and the FLA, the Board of Education will grant staff members up to twelve weeks leave of absence in any twelve month period for the provision of the care made necessary by the birth or adoption of a child or by the serious health condition of a spouse, parent, child or the employee. An employee shall not be discriminated against for having exercised his or her rights under the FMLA or FLA nor discouraged from the use of family leave. An employee shall become eligible for family leave after he or she has worked twelve months in this district and the number of hours mandated by Federal and State agencies (1250 hours for FMLA; 1000 hours for FLA) excluding overtime, during the previous twelve month period. The calculation of the twelve month period shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a child may commence at any time within one year after the birth or adoption, regardless of when the birth or adoption occurs.

Jury Duty: The Board of Education will indemnify any staff member against loss of pay incurred by a call to jury duty. No employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent on jury duty will not be charged against personal leave and will count as school district service.

3. NOTIFICATION

Teachers and staff requesting extended leave must inform the District as soon as it is determined or practicable, that the employee will not be able to report for work or desires such leave.

4. RETURNING TO DUTY FROM EXTENDED LEAVE OF ABSENCE

Unused accumulated sick leave, personal days, and vacation days to which an employee was entitled at the time his or her extended leave commenced shall be restored upon his or her return; provided, however, sick leave days, personal days and vacation days shall not accrue during the leave of absence except as otherwise provided in this policy.

Legal References:

N.J.S.A. 2B:20-1 et seq.
N.J.S.A. 18A:27-4
N.J.S.A. 18A:28-5
N.J.S.A. 18A:30-2.1
N.J.S.A. 18A:30-6
N.J.S.A. 18A:66-32.1
N.J.S.A. 34:11B-1 et seq. N.J.S.A. 34:15
N.J.S.A. 34:15-38

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Formerly Policy # GBRIC